

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

ANGELA DENISE NAILS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO: 1:07cv940-WKW
)	
JOHN SPANN, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Pending before the Court is Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Doc. 2, filed October 19, 2007) and affidavit in support. The Court finds there are several inconsistencies in the financial affidavit, which raise questions about Plaintiff's eligibility under 28 U.S.C. §1915 to proceed without prepayment of fees and costs. Therefore, for good cause, it is

ORDERED that the undersigned Magistrate will hold an *ex parte* hearing on the motion, **on November 15, 2007, at 10:00 a.m.** in Courtroom 5A, Frank M. Johnson, Jr. Federal Building and United States Courthouse Complex, One Church Street, Montgomery, Alabama, to determine Plaintiff's eligibility for *in forma pauperis* status. It is further

ORDERED, that **on or before November 9, 2007**, Plaintiff shall file with the Court, under seal, evidence of the following:

1. Any and all gross monthly income;
2. Any and all monthly living expenses, including: rent/mortgage; utilities; food;

clothing; health care/medical; insurance; car payments/loans/leases or other transportation; other loans; credit card payment(s); educational expenses; any other expenses.

3. Any and all liquid assets including: cash on hand or in a bank; real estate; personal property (such as motor vehicle(s), stereo, VCR, DVD(s), furnishings, jewelry, tools, guns, etc...); any other assets;
4. Any and all tax forms and filings over the last 3 years.

For good cause, it is further

ORDERED that plaintiff shall execute a consent form (attached herewith) which will allow the Court to run a copy of Plaintiff's credit report, and return said form to the Court on or before **November 9, 2007**.

ORDERED that the Clerk of Court shall overnight this order to the Plaintiff.

Plaintiff is cautioned that failure to comply with this order may result in the Court's denial of her request to waive the filing fees in her case and proceed *in forma pauperis*.

DONE this 5th day of November, 2007.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE

CONSENT AND AUTHORIZATION TO FINANCIAL RECORDS

I, _____ because of substantial hardship, am unable to pay the docket fee and service fees in this case. I have requested that payment of these fees be waived initially and taxed as costs at the conclusion of the case and hereby authorize the release of any and all financial records to the United States District Court for the Middle District of Alabama, for the purpose of reviewing my application to proceed in forma pauperis.

I understand that this authorization may be revoked by me in writing at any time before my records are disclosed, and that this authorization is valid from the date of my signature.

(Date)

(Signature)

(Address)

(City/State/Zip Code)